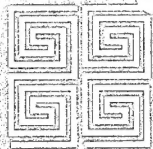
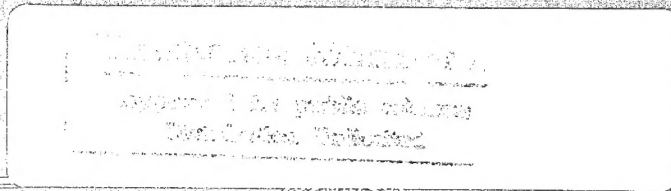


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THE INVITATION TO STRUGGLE: Executive and Legislative Competition over the U.S. Military Presence on the Korean Peninsula

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The Korea Society



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**THE INVITATION TO STRUGGLE:
EXECUTIVE AND LEGISLATIVE
COMPETITION
OVER THE U.S. MILITARY PRESENCE
ON THE KOREAN PENINSULA**

William E. Berry, Jr.

May 17, 1996

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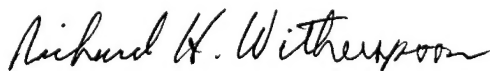
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FOREWORD

In this monograph, Dr. William E. Berry examines the history and the ongoing debate between the legislative and executive branches of the U.S. Government regarding policy in Korea. The issue of troop presence has taken a back seat to concerns over the North Korean nuclear threat. Most of the current congressional criticism is focused on the effectiveness of the administration's counterproliferation policy with respect to North Korea. Dr. Berry concludes that, until the nuclear issue is resolved, U.S. forces will likely remain in South Korea because vital national security interests are involved.

This monograph was presented originally at the International Workshop on the U.S.-ROK Alliance held in Seoul, Korea, in October 1995. The Strategic Studies Institute is pleased to have co-hosted this workshop in collaboration with the Institute for Far Eastern Studies of Kyungnam University and in partnership with The Korea Society and the Defense Nuclear Agency. We hope that the ideas presented there will lead to a strengthening of the ROK-U.S. partnership and thereby enhance the peace and stability of Northeast Asia.



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BIOGRAPHICAL SKETCH OF THE AUTHOR

WILLIAM E. BERRY, JR., currently Senior Military Professor and Department Head of Political Science at the U.S. Air Force Academy, completed a tour as Air Attache to Malaysia in July 1993. Prior to that, he was Director of Field Studies Programs and Assistant Director of National Security Policy at the National War College in Washington, DC. Colonel Berry has had extensive experience in Asia with assignments in Vietnam, the Philippines, and the Republic of Korea. A Cornell Ph.D., he is the author of a book on the Philippine base negotiations that was published by Westview Press and a recent monograph on the North Korean nuclear weapons program. He has written many journal articles and chapters in edited books on U.S. security interests in Asia and other Asian-related topics.

SUMMARY

The primary focus of this monograph is the ongoing debate between the executive and legislative branches of government in the United States concerning the American military presence in the Republic of Korea. It begins by examining the debate surrounding the ratification of the Mutual Defense Treaty in 1953, and the Senate's decision to attach an "understanding" to that treaty. The Nixon and Carter administrations are particularly important because major efforts occurred in each to reduce the U.S. presence. In the case of the Nixon administration, the Congress was a major impetus to this reduction, whereas in the Carter administration, the Congress worked hard to impede Carter's troop withdrawal initiative. The reasons for this role reversal are very informative.

The suspected North Korean nuclear weapons program has added another dimension to this debate. Much of the current debate between the Clinton administration and the Congress concentrates on whether the U.S. counterproliferation policy has been successful in reducing the North Korean threat rather than on whether the United States should continue to station military forces in South Korea. The 1995 Defense Department security strategy makes a compelling case for this military presence and appears to be generally accepted in the Congress. The conclusion is that unless or until the nuclear issue is resolved, the U.S. troop presence will not be as controversial as in previous times. Provided the South Koreans desire these forces to remain, the United States will keep them there, at least in the short term, because they contribute to the achievement of the new critical counterproliferation objectives, as well as their original deterrent purpose.

THE INVITATION TO STRUGGLE: EXECUTIVE AND LEGISLATIVE COMPETITION OVER THE U.S. MILITARY PRESENCE ON THE KOREAN PENINSULA

Since the end of the Korean war, the primary purpose of the U.S. military forces stationed in the Republic of Korea (ROK) has been to deter, in conjunction with the ROK military, another attack by the Democratic People's Republic of Korea (DPRK). To this end, these forces have been largely successful and have served as an important link in the bilateral relationship between the United States and South Korea, as well as an essential component of the containment strategy during the Cold War. However, domestic politics in the United States has also played a major role in the continuation of the U.S. military presence on the Korean peninsula, particularly the competition between the executive and legislative branches in the foreign policy formulation process. One author has described the constitutional separation of powers in foreign policy formulation as an "invitation to struggle" since both branches of government have specific powers and responsibilities which on occasion bring them into conflict.¹ More specifically, the President's role as commander-in-chief of the military has conflicted with the Congress' authority to appropriate funds for the military, and, in the case of the Senate, its treaty ratification responsibility. The primary thesis of this monograph is that in the post-Cold War era, the struggle between the executive and legislative branches of government concerning U.S. policy involving Korea may intensify for geopolitical, economic, and partisan political reasons. However, because of the North Korean nuclear weapons threat, the debate over the retention of U.S. military forces has been subsumed by the larger

security issues. At least for the next few years, it is likely that the United States will continue to station its military forces on the Korean peninsula if its South Korean ally supports this retention.

The Mutual Defense Treaty and the Nixon Doctrine.

In October 1953, representatives of the United States and South Korea signed a Mutual Defense Treaty (MDT) which went into effect in November of that year.² Article III stipulates that each country accepts that an external attack in the Pacific on either of their territories under their respective administrative control "would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes." Article IV provides for American land, air, and naval forces to be stationed in South Korea. When the U.S. Senate ratified this treaty, the senators added an "understanding" which stipulated that the treaty would only be applicable if an external attack were directed against the ROK.³ Presumably, the Senate intended to ensure through this understanding that the treaty would not go into effect if South Korea launched an attack against North Korea, as South Korean President Syngman Rhee had threatened, to reunify the country. This understanding serves as an early example of potential differences between the two branches of government on Korean policy.

ROK political leaders have remained apprehensive concerning the credibility of the American commitment to come to South Korea's assistance ever since the MDT went into effect. The Senate reservation expressed in the referenced understanding partly explains this apprehension, but more important is the clause in Article III which provides that each country would act "in accordance with its constitutional processes." The Koreans wanted the United States to commit to an automatic response in case of attack, but the United States has never made such a commitment. Therefore, the presence of American ground forces, in particular those deployed along the likely invasion routes, provides the next best guarantee

that the United States will respond immediately to an attack across the 38th parallel.⁴ The "trip-wire" nature of these American soldiers' presence is so important because the ROK views this presence as a major deterrent against another North Korean invasion. In this instance, it is the psychological element of deterrence that is deemed so important, both to reassure the South and to deter the North.

Korean anxieties about the American commitment increased during the administration of Richard Nixon. President Nixon was influenced by both domestic and international pressures as far as his views on American troops in Korea were concerned. Domestically, public opinion and the mood of Congress opposed continuation of the U.S. role as "policeman of the world," a role the United States had assumed in the period leading to the involvement in the Vietnam war. Congress demanded that military budgets be cut and American forces abroad reduced. Internationally, Nixon was influenced by his own plans to improve relations with the People's Republic of China. A reduction in the American military presence in Asia was perceived as a means to this end.

During a trip to Asia in July 1969, the President indicated on several occasions that American allies must assume more of the responsibility in providing for their own defense and the broader security of the region. The United States would continue to play a role, but the individual countries would have to do more.⁵ At the conclusion of his trip, Nixon released a statement on Guam which became known as the Nixon Doctrine.⁶ Briefly, this doctrine contained three main principles. First, the United States would keep its treaty commitments. Second, the nuclear umbrella would continue to be extended to those countries deemed vital to American security interests. Third, and most important as far as the troop issue is concerned, the United States would furnish economic and military assistance, but the country directly involved would be responsible for providing the actual manpower for its own

defense. What this meant essentially was that the United States would consider providing air and naval support to an ally, but the ground forces would have to come from the country itself.

In August 1969, President Park Chung Hee and President Nixon met in San Francisco. They issued a joint communiqué at the conclusion of this meeting which was significantly different from that issued after Park's meeting with President Lyndon Johnson in 1968.⁷ Rather than the pledge to offer "prompt and effective assistance to repel armed attack" that his predecessor had made, Nixon agreed only "to meet armed attack against the Republic of Korea in accordance with the Mutual Defense Treaty between the Republic of Korea and the United States."

In 1971, Nixon began to reduce the ground presence in Korea by withdrawing the 7th Infantry Division. After this withdrawal, only the 2nd Infantry Division remained. This action reduced the U.S. military forces from approximately 60,000 soldiers to about 40,000.⁸ Because of the deterrent value attributed to the American presence, the Korean government was profoundly disturbed by the Nixon decision. As a result, President Park launched a major effort during the early 1970s in the Third Five-year Economic Development Plan (1972-76) to increase the industrial capabilities of his country so that South Korea would become as self-sufficient as possible in the production of military hardware. Park gave particular attention to the development of the iron and steel industries, heavy machinery, transport equipment, and chemical industrialization.⁹ Quite obviously, Korean confidence in American reliability was shaken by the Nixon troop withdrawal decision at least in part because of policy differences between the executive and the legislative branches and also by concerns that the ROK was not as important to the United States as other geopolitical and geostrategic considerations. The latent fears always just below the surface of the bilateral relationship were exacerbated by this action.

When Gerald Ford succeeded to the presidency in 1974, he attempted to reassure American allies in Asia that the United States intended to remain a military power in the region. On his return from the Vladivostok meeting with Leonid Brezhnev, Ford stopped in Seoul to consult with Park. The joint communiqué they issued is instructive in that Ford reiterated that the United States would remain an Asian power, but more specifically because of the wording he used in reference to the U.S. ground forces in South Korea.¹⁰ Ford reverted to the language used by Johnson in 1968, pledging "prompt and effective assistance to repel armed attack against the Republic of Korea." He went on to state directly that "the United States had no plan to reduce the present level of United States forces in Korea."

At the conclusion of a subsequent Asian trip in 1975, Ford attempted to clarify his Asian policy further. In a speech delivered in Hawaii, he outlined his "Pacific Doctrine" and made specific reference to South Korea. The fifth tenet of this doctrine stated that peace in Asia would be difficult to achieve as long as existing tensions remained high on the Korean peninsula. To reduce these tensions, the United States intended to maintain close ties with the ROK, to include the retention of American military forces there.¹¹ Secretary of State Henry Kissinger reinforced this policy in a 1976 speech. He warned against unilateral troop withdrawals from the region as threatening the security of allies and reducing American influence. Concerning Korea, he stated that the United States "will not undermine stability and hopes for negotiation by withdrawing forces unilaterally."¹²

Ford and Kissinger were attempting to reassure America's friends and allies that the United States intended to remain an Asian power even though the United States had not been able to prevent communist victories in Indochina. It is clear that Ford and Kissinger believed that the retention of combat ground forces in South Korea was a signal of American resolve to remain a force to be reckoned with in Asia. While these reassurances were welcome in Seoul, doubts still remained because of policy shifts from

one administration to another and because of significant differences between the Republican President and the Democratic Congress on the proper course for U.S. foreign policy in Asia. In other words, Korean political leaders were not certain what the long-term U.S. policy on the troop presence would be, and their anxiety level increased as the identity of the Democratic nominee for president in 1976 became known.

The Carter Troop Withdrawal Decision.

As early as 1975, candidate Jimmy Carter indicated he would withdraw American ground forces from Korea if he became president.¹³ The Korean reaction was more muted than might have been expected because in 1975 it did not seem likely that Carter would win the Democratic nomination, let alone the presidency, and because campaign rhetoric is not always translated into policy. Carter proved the Koreans wrong on both counts. After becoming president, he directly addressed the troop issue. The President believed that the approximately 32,000 ground forces in Korea could be removed over a 4-5 year period, allowing South Korea time to prepare its own forces to replace the departing Americans. Carter did anticipate, however, that American air and naval support forces would remain in the ROK for a long time.¹⁴

During the spring of 1977, the administration prepared Policy Review Memorandum 13. This document contained the various arguments under consideration at that time on the troop withdrawal plan. Although granting that the strategic balance had shifted in favor of the DPRK since 1970, it concluded that after a 5-year period of withdrawing American ground forces, South Korea could defend itself adequately if U.S. air, air defense, naval, logistics, and intelligence support continued to be made available to the ROK.¹⁵ In May 1977, the administration sent Presidential Decision 12 to the Departments of State and Defense ordering these departments to implement Carter's troop withdrawal plan.

There were several reasons for the Carter decision. First, he did believe that because of quantitative and qualitative improvements in South Korean forces and equipment, U.S. ground forces were no longer necessary to maintain stability. Second, what he described as "strategic considerations" had changed from the late 1940s and early 1950s in relations between the United States and the Soviet Union.¹⁶ Although he did not say so explicitly, presumably the President was referring to the improvement in relations with both the Soviets and Chinese and the concomitant deteriorating relationship between the two communist giants. According to this view, these changing "strategic considerations" reduced the possibility of a repetition of the North Korean invasion of June 1950 in that neither the Soviet Union nor People's Republic of China would want to jeopardize the improving relations with the United States by supporting a North Korean attack. This line of rationale was exactly what the South Koreans feared: events outside the country, and over which they had little control, were directly affecting the ROK's defense. Third, South Korea was developing a strong economy and was fast approaching the time when it could provide for its own defense.¹⁷

There were other reasons for Carter's decision. The new President desired additional flexibility in determining how or if the United States should respond to an attack against South Korea. If American forces remained deployed along the major invasion routes, his choices were limited because Americans would be killed in the first moments of the attack. It would be very difficult for any president not to respond with military escalation if such deaths occurred. Also, Carter had campaigned to cut the defense budget; reducing military forces overseas was a means to achieve this promise. Finally, the President stressed the adherence to basic human rights as a major standard to influence U.S. relations with other countries. He found many of the policies and practices of the Park regime to be offensive, and he decided that he wanted to distance himself and the United States from Park.¹⁸

The Korean response to this withdrawal plan was predictable. Even opposition political leaders supported the retention of U.S. forces. Park indicated strongly that the United States would have to make major contributions to the South Korean military force improvement program so that his military could provide for the national defense as American forces withdrew. In 1977, the estimates were that Korean industry was providing approximately 50 percent of the equipment used by the ROK's military. This represented a significant improvement from the early 1970s when Park began his major industrialization projects. In negotiations during the summer of 1977, the United States agreed to provide nearly \$1.5 billion during the course of the 5-year force-improvement program, primarily through Foreign Military Sales (FMS) credits.¹⁹ This assistance was a significant contribution to the ROK's efforts to expand further its defense industries. Nevertheless, Korean skepticism about the credibility of the American commitment reached one of its highest points since the end of the Korean war during these first years of the Carter administration.

In actuality, the Carter withdrawal policy resulted in the removal of less than one combat battalion. Again, significant differences between the executive and legislative branches of government were instrumental in this outcome as each sought to define what American policy should be. It is interesting to note that the roles were reversed from the earlier Nixon period when congressional pressure was a significant force limiting President Nixon's options in East Asia after the Vietnam experience. The 1977 withdrawal plan was never popular with many in the U.S. Congress and military. When the intelligence community conducted an intelligence reassessment in 1978, the remaining support was further diminished. Prior to this reassessment, the Carter administration argued that while the DPRK had some definite advantages, such as more combat aircraft and superior naval forces, these advantages were not so significant that Kim Il Sung could be confident of victory if he launched an attack. Geographical features favored the South as far as defensive positions were concerned, and the

South Korean Air Force had more modern aircraft. Also, the ROK military experience in the Vietnam war had provided recent battlefield training which the North Koreans did not have.²⁰

The intelligence reassessment involved both the Central Intelligence Agency and the Defense Intelligence Agency and focused on the DPRK's military capabilities. In June 1979, Congressman Les Aspin, a member of the House Select Committee on Intelligence, announced the results of this reassessment.²¹ After reviewing the new intelligence data, Aspin and others reached the following conclusions: the North had achieved a numerical superiority in ground forces to accompany its numerical advantages in the air; the number of North Korean divisions had increased from a projected 29 in 1977 to 37 in 1979; and the number of tanks and armored personnel carriers had grown by 35 percent and 20 percent respectively.

While these quantitative changes were disconcerting to Aspin, he found additional causes for concern in how Kim Il Sung had deployed his forces. Previously, American military analysts believed the DPRK was dedicated to a forward defense concept in which forces would be deployed along the 38th parallel and reinforced if necessary from rear areas. Such reinforcements would require time and could be detected by various intelligence means. However, the new data indicated that rather than a forward defense deployment, North Korea more than likely had developed a defense-in-depth posture. This new orientation could allow Kim to launch an attack without the sizable reinforcements required by forward defense planning. Therefore, the ROK and United States would not have the luxury of the requisite time to provide reinforcements as an attack became imminent. Since Seoul, the South Korean capital, is less than 30 miles from the 38th parallel, this new capability sent shock waves throughout the ROK and the bilateral security alliance.²²

Confronted by increasing congressional opposition, concerns of the U.S. military, and the public statements of the Park government plus the new intelligence estimate, President Carter reevaluated his troop withdrawal plan. To assist in this reevaluation, he included Korea on his itinerary for an Asian trip scheduled for the summer of 1979. In an exchange of toasts with President Park, Carter emphasized the importance of the U.S.-South Korean relationship and stressed that the American military commitment to the ROK's security was "strong, unshakable, and enduring."²³ In the joint communique, the American President was more specific about this commitment. He promised "prompt and effective assistance to repel armed attack" against the South and assured President Park that "the United States nuclear umbrella provided additional security for the area." Specifically relating to the withdrawal plan, Carter pledged that "the United States will continue to maintain an American military presence in the Republic of Korea to ensure peace and stability."²⁴

Although President Carter's statements were somewhat nebulous and non-specific, the implication was that U.S. ground forces would remain in South Korea. Richard Holbrooke, Assistant Secretary of State for East Asia and the Pacific, made this point more explicitly in his testimony before the House Investigations Subcommittee after the President returned from Korea. In response to a question, Secretary Holbrooke stated that the communiqué was "a clear statement that the United States will continue to maintain an American military presence in the Republic of Korea to insure peace and stability."²⁵

Finally, in July 1979, President Carter announced that he had decided to hold the withdrawal plan in abeyance.²⁶ Although Carter did not completely abandon his goal, he postponed further implementation of the withdrawal plan until well after the 1980 presidential election. More important, he attached a condition to any subsequent

consideration of this issue: some indication or sign that the DPRK was willing to help reduce tensions on the Korean peninsula. Any future withdrawal decision would not be a unilateral U.S. decision.

This comparison of the Nixon and Carter policies is instructive. The Congress was the driving force in the Nixon decision to withdraw the 7th Infantry Division from the ROK because of congressional desires to reduce American commitments abroad in the aftermath of the Vietnam experience. It also wanted to reduce defense spending. During the Carter administration, the Congress reversed its role. Rather than supporting the President's initiative to remove the 2nd Infantry Division, many in the legislature opposed this policy and worked hard for its defeat. Les Aspin and others were concerned that America's credibility as a reliable ally was at stake. The collapse of friendly regimes in Indochina during 1975 was a factor, but the U.S. policy to establish normal diplomatic relations with the People's Republic of China was another. The PRC demanded that the United States break diplomatic relations with Taiwan and abrogate the Mutual Defense Treaty with the island before normalization could occur. The Carter administration complied with these demands for good geostrategic reasons, but U.S. credibility did suffer. The Congress acted to retain the troop presence in Korea in part as a damage-control measure.

The Reagan and Bush Efforts to Restore U.S. Credibility.

The Carter policies on the troop issue and human rights violations in Korea contributed to a deterioration in the bilateral relationship to one of its lowest levels since the end of the Korean war. When Ronald Reagan became president, he made it clear that he opposed any U.S. force reduction from Korea. In his view, a withdrawal would impede progress in achieving important American political and security interests. He was particularly concerned that the abrogation of the U.S. security treaty with Taiwan would adversely affect U.S. credibility in East Asia. As a result,

Chun Doo Hwan, who succeeded Park after the latter's assassination in late 1979, was one of the first foreign leaders to visit Reagan in February 1981. In a joint communiqué, Reagan stated that the United States "had no plans to withdraw U.S. ground forces from the Korean peninsula."²⁷ The American President reiterated this pledge on his trip to the ROK in 1983 and during Chun's second visit to the United States in 1985.²⁸ On many political issues, the Reagan administration preferred to conduct what was described as "quiet diplomacy" to influence other countries in contrast with Carter's more direct approach, and this change of emphasis became apparent in the warmer official relations between the United States and South Korea.²⁹

While the troop withdrawal issue remained muted during most of the Reagan administration at least in part because of executive-legislative agreement on policy choices, this issue resurfaced during the presidency of George Bush. In June 1989, three senators introduced legislation that would have reduced the U.S. ground force presence by 10,000 soldiers over the next 3 years. They were frustrated by budgetary factors in the United States and a changing threat perception in Northeast Asia as the Cold War concluded. Pentagon studies in 1989 estimated the U.S. costs of maintaining troops in South Korea at \$2.6 billion per year.³⁰ Although this legislation never came to fruition, it did identify two issues which continue to convince many Americans that the U.S. forces should be further reduced or withdrawn completely: economic factors in the United States, specifically the need to reduce the budget deficit, and a more benign threat environment after the Cold War.

Roh Tae Woo, who was elected president in December 1987, challenged the basic premises of the three senators who introduced this legislation. He argued that increasing North Korean unpredictability required the continuation of the U.S. presence if stability were to be continued. His foreign minister stated that a reduction of American military forces should occur only after the DPRK reduced

its forward based forces just north of the 38th parallel.³¹ Vice President Dan Quayle visited South Korea in September 1989 and attempted to put the issue to rest, at least temporarily. He indicated that the Bush administration would oppose any legislative efforts to force a withdrawal.³²

The important point here is that the debate in the United States was focusing more on domestic economic factors and a changing threat perception. It is only normal that these issues should receive increased emphasis; however, from the Korean perspective, the precedents set by Nixon and Carter once again became concerns. While the South Koreans opposed both the withdrawal plans in the early and late 1970s on their merits, they also were highly offended that neither administration consulted with them before announcing its policy decision. During Bush's visit to Seoul in January 1992, he made a pledge similar to that given by his vice president in 1989. He pledged that the United States would keep its military forces on the Korean peninsula "as long as there is a need and we are welcome."³³

In 1990, the Department of Defense published a document entitled *A Strategic Framework for the Asian Pacific Rim: Looking Toward the 21st Century*.³⁴ This study attempted to respond to the changing international environment after the end of the Cold War and to take into account increasing economic pressures in the United States to reduce the defense budget. In so doing, its authors tried to define U.S. national objectives in Asia and the force structures required to protect and foster these objectives. Regarding the Korean peninsula, it described the border between the two Koreas "as one of the world's potential military flashpoints" and set forth three bilateral security objectives. The first was to deter North Korean aggression or defeat this aggression if deterrence failed. Second, to reduce political and military tensions on the peninsula and to encourage the initiation of confidence-building measures. Third, to begin the transition of U.S. forces in the ROK from a leading to a supporting role.³⁵

As part of this important transition, the Pentagon envisioned a three-phased restructuring of American forces. In the first phase, estimated to take between 1 and 3 years, the United States pledged to reduce its forces by approximately 7,000 personnel—2,000 from the Air Force and 5,000 support troops from the Army.³⁶ In phase two, between 3 and 5 years, the United States and South Korea would review the threat and consider reducing the force structure of the 2d Infantry Division. In the third phase, between 5 and 10 years, the two allies agreed to consult with each other based on the progress made during the first two phases. As the Koreans proceeded to take the lead role in providing for their own defense, the rationale was that fewer American military forces would be required.

The Pentagon study also addressed burden sharing, an indication of the congressional concerns as evidenced by the legislative initiative in June 1989 to bring 10,000 soldiers back to the United States. This study called for the ROK to assume additional costs for the salaries of Korean workers on the U.S. bases and to pay for the construction of new facilities.³⁷

The proposed reduction in U.S. forces and demands for increased Korean burden sharing were not new topics of discussion. As in previous cases when the United States announced proposed changes in its force structure, there was some negative reaction in Seoul when the Pentagon proposals were announced. Some officials questioned whether the timing was right based on the leadership succession which was then underway in the DPRK as Kim Il Sung continued his efforts to pass on political control to his son, Kim Jong Il. Others argued that the ROK already shared enough of the burden in supporting the American military presence.³⁸

Nonetheless, the Korean response to the Pentagon study and subsequent events was much less vitriolic than was the case with the Nixon and Carter reduction plans. Part of this change in response is attributable to increased Korean confidence in its capabilities, as well as an appreciation of the changes which had occurred in the threat environment.

Part was also influenced by improved consultations between the two allies on national security issues. As an example, Secretary of Defense Dick Cheney went to Seoul in November 1991 to participate in the annual Security Consultative Meeting (SCM). The United States and South Korea established the SCM in the early 1970s to coordinate important security issues. At the November meeting after discussions with his Korean counterpart, Secretary Cheney announced that the United States would suspend its planned force reductions, announced in the 1990 Pentagon study, "until the dangers and uncertainties of the North Korean nuclear program have been thoroughly addressed." Cheney's statement on suspending further force reductions was important because the U.S. Air Force had begun to remove its personnel and equipment from three air bases. The two sides had agreed to redesignate these facilities as collocated operating bases which meant that the USAF would have access to these bases in a crisis, but there would not be a peacetime American presence.³⁹ Cheney and the Koreans also reached an agreement on burden sharing through 1995. The ROK announced it would increase its support from approximately \$150 million in 1991 to \$180 million in 1992. By 1995, they agreed to pay about \$280 million.⁴⁰ The most important point was that the Secretary of Defense consulted with his counterparts and responded to Korean concerns without the acrimony associated with the Nixon and Carter initiatives.

**The Clinton Administration,
the Nuclear Weapons Issue,
and the U.S. Military Presence.**

Domestic issues dominated the 1992 presidential election in the United States, but Democratic candidate Bill Clinton did address security concerns on the Korean peninsula on occasion. For example, he stated that he intended to retain an American military presence in the ROK to deter North Korean aggression.⁴¹ After his election, President Clinton visited Korea in July 1993. While there, he addressed the ROK's National Assembly and outlined his concept of a Pacific Community. One of the key components

of this concept was the continuation of the U.S. military commitment in Asia. Concerning Korea, the President unequivocally stated that peace on the peninsula "remains a vital American interest," and that he would continue to station U.S. forces in the ROK "as long as the Korean people want and need them there."⁴² President Clinton has continued to pledge his firm intention to retain this presence throughout his first term, most recently when President Kim Young Sun visited Washington in July 1995. During this visit, Clinton restated his pledge that U.S. troops would remain as long as South Korea desired and that the alliance with South Korea was "stronger than ever."⁴³

The retention of the military presence has been overshadowed in recent years by American concerns over the North Korean nuclear weapons program. While some differences remain between the executive and legislative branches as to how the United States should respond to this nuclear threat, the two branches appear to have reached a general consensus on retaining U.S. military forces in Korea for the foreseeable future. An examination of the North Korean nuclear weapons program is beyond the scope of this paper, but basic highlights are important to support the above contention that the U.S. military presence is likely to remain for several years.⁴⁴

North Korea became a signatory to the Non-Proliferation Treaty (NPT) in 1985 but refused to sign the International Atomic Energy Agency (IAEA) full-scope safeguards agreement even though obligated to do so under the provisions of the NPT. Concerns over the DPRK's refusal to allow IAEA inspections increased in 1989 when U.S. intelligence reports indicated the North Koreans were building what appeared to be a nuclear reactor and possibly a nuclear fuel reprocessing plant at the Yongbyon facility approximately 60 miles north of Pyongyang.⁴⁵ If the DPRK developed the capability to extract plutonium, then it could possibly build nuclear weapons, a prospect neither the ROK, the United States, nor many other countries would welcome because of probable increased regional instability and proliferation pressures on other countries. North Korean

officials have consistently denied that they have any intentions to develop a nuclear weapons capability, but these denials have not been accepted in Seoul or Washington.⁴⁶

Some progress appeared to be made in resolving this issue on New Year's Eve 1991 when the two Koreas signed an agreement entitled the Joint Declaration of the Denuclearization of the Korean Peninsula. This agreement committed both countries not to "test, manufacture, produce, receive, possess, store, deploy, or use nuclear weapons."⁴⁷ In January 1992, North Korea signed an agreement with the IAEA that provided for international inspections of its nuclear facilities. Between May 1992 and July 1993, the IAEA conducted seven ad hoc inspections of the DPRK's facilities.⁴⁸ IAEA inspectors began to suspect during these inspections that North Korea had extracted more plutonium than the few grams they admitted to extracting for research purposes. To resolve these discrepancies, the IAEA requested access to two additional sites its inspectors believed were storage facilities for nuclear waste. The DPRK denied these buildings were waste sites but rather military warehouses, and, therefore, not subject to IAEA inspections.⁴⁹

In March 1993, the U.N. Security Council voted 13-0 to adopt a resolution calling on the DPRK to allow IAEA inspectors access to the two suspected nuclear waste sites. North Korea refused to comply and shocked the international community on March 14 by announcing its intention to withdraw from the Non-Proliferation Treaty. This was the first instance in the history of the NPT where a signatory officially stated its plan to withdraw.⁵⁰ By late May 1993, the United States and North Korea had agreed to a series of negotiations in the effort to resolve this dispute before the North actually withdrew from the NPT, scheduled for June 12. These negotiations in June and July 1993 were somewhat successful in that North Korea agreed to "suspend" its withdrawal from the NPT, but not in resolving the larger issue of the possibility that North Korea had a nuclear weapons program underway.⁵¹

Discussions continued between the United States and North Korea at the United Nations for the next several months, but without major success. Once again in May 1994, the North shocked the international community when it announced that it had begun to remove an estimated 8,000 spent fuel rods from one of its reactors in Yongbyon without IAEA inspectors being present as required by the NPT.⁵² In August, the United States and DPRK resumed high-level discussions in another effort to resolve the nuclear dispute. This time, more substantive arrangements were achieved. In a statement released at the end of the negotiations, the North Koreans agreed to replace their graphite-moderated reactors with light water reactors (LWRs). The latter are preferred by the United States and others because they produce less material which can be used to build nuclear weapons than the graphite reactors. In return, the United States pledged to help arrange for the acquisition of the LWRs and to assist in finding alternative energy sources for the DPRK. North Korea agreed to freeze the construction of additional reactors at Yongbyon while the LWRs are under construction, to forego reprocessing any more plutonium, and to seal what the IAEA suspected of being a reprocessing plant. Finally, the DPRK again stated it would remain in the NPT and allow the implementation of IAEA safeguards.⁵³

The bilateral negotiations resumed during October 1994 in Geneva, and the two sides reached an agreement on October 21.⁵⁴ This framework agreement basically called for a three-phased resolution of North Korea's nuclear program. In the first phase, which could take as long as 5 years, the DPRK pledged not to refuel its 5MW reactor at Yongbyon and to stop building the two larger reactors. The North Koreans also agreed to keep the 8,000 spent fuel rods in cooling ponds and to allow the IAEA to inspect them. In return, the United States and its allies indicated they would begin constructing two LWRs at a cost of approximately \$4 billion, most of which the ROK and Japan would finance. While the LWRs are under construction, the United States will provide 50,000 metric tons of heavy oil for heating and electricity during the first year; this amount will increase to

500,000 metric tons per year thereafter until the LWRs come on-line. During the second phase, likely to begin in about 5 years, North Korea will allow IAEA inspections of the two suspected nuclear waste sites which should clarify how much plutonium the DPRK processed previously. The United States and its allies will complete work on the first LWR and bring it on-line. In the final phase, which will take several more years, the DPRK will dismantle all three of its graphite reactors as well as other facilities associated with reprocessing spent fuel. In return, the second LWR will be completed and brought on-line.⁵⁵

The October 1994 framework agreement became controversial as soon as it was signed with several critics arguing that the United States had granted too many concessions without obtaining immediate inspections of the two suspected waste sites.⁵⁶ More significantly for the purpose of this monograph, after the November congressional elections, several influential Republicans attacked this agreement. Senator Robert Dole, the new Majority Leader, stated shortly after the agreement was signed that "it was always possible to get an agreement when you give enough away." Subsequently, Senator Frank Murkowski, the chairman of the Senate Subcommittee on East Asia, criticized the agreement because it did not provide for the initial inspections of the suspected storage sites. Senator Larry Pressler has also been critical, charging that this agreement established a bad precedent for countries such as Iran which may in the future prohibit IAEA inspections unless the United States and others provide new power plants.⁵⁷

Administration officials have responded to these criticisms in defense of the framework agreement.⁵⁸ The important point is that congressional criticism now is focusing more on the nuclear weapons issue on the Korean peninsula than on U.S. military forces in the ROK. In fact, until the nuclear problem is finally completely resolved, it is unlikely that the military presence issue will be the

subject of serious debate between the executive and legislative branches because neither wants to send a signal to North Korea which both Koreas could interpret as a diminution of U.S. resolve.

One final problem associated with the nuclear issue deserves attention. Both the United States and South Korea intended for the ROK to provide the LWRs to the DPRK, but North Korea expressed reluctance to have the ROK play this role for a variety of obvious reasons. United States and North Korean negotiators met in Kuala Lumpur, Malaysia during June 1995 to attempt to find a resolution. In a statement released at the end of these discussions, the two countries agreed that the LWRs should be an "advanced version of U.S. origin, design and technology currently under production." While this is somewhat ambiguous, South Korea produces LWRs based on an American design, and the Korea Energy Development Organization (KEDO), a joint entity established to oversee the LWR project, will select the primary contractor which will most likely be South Korea's Korea Electric Power Corporation. KEDO is comprised primarily of American, South Korean, and Japanese representatives; North Korea is not a member.⁵⁹ If there are further problems associated with the LWRs, this would probably stiffen U.S. resolve to continue taking a hard-line stance with North Korea.

The Clinton administration has continued the evolution of U.S. policy on the military presence in East Asia, in general, and the Republic of Korea, in specific, begun during the Bush administration. In February 1995, the Department of Defense published *United States Security Strategy for the East Asian-Pacific Region* which is a follow-on to the earlier 1990 *Strategic Framework Toward the 21st Century*.⁶⁰ This report identifies continued political stability and economic growth and development in East Asia as vital U.S. national security objectives. To protect these vital interests, the United States must remain engaged in the region politically, economically, and militarily.⁶¹ This report is basically a practical example of the enlargement strategy which the Clinton administration initiated in 1993.

In the military context, the United States intends to maintain approximately 100,000 forces in East Asia. These forward-deployed forces contribute to a flexible and rapid crises response capability, discourage the possible emergence of a regional hegemon, enhance U.S. capabilities to influence issues in the region, reduce the time and distance problems for the deployment of military units, and demonstrate U.S. commitment to the security of friends and allies.⁶² Because of the conventional and nuclear threats emanating from Pyongyang, the 2d Infantry Division, its support units, and a USAF combat air wing will remain in the ROK for the foreseeable future. The modest drawdown planned in 1990 has been "permanently halted," and major modernization programs are planned for the units remaining, as well as substantial prepositioning of additional equipment. Deterring future North Korean aggression continues as the highest priority by "making it unmistakably clear that the United States would automatically and immediately be involved in any such conflict."⁶³

However, the Pentagon report does commit the United States to continuing the process begun earlier of shifting the primary responsibility for the ROK's defense to its ally. To this end, the combined ground component commander is now a South Korean four-star general rather than an American, and the transfer of peacetime operational control of ROK forces to South Korea took place in December 1994. The ROK also agreed to increase its economic support for U.S. forces to \$300 million in FY 1995 and to continue to provide rent-free bases. This represents a \$20 million increase from the previous agreement on burden sharing.⁶⁴

In comparison with earlier periods during the Nixon, Carter, and Bush administrations, the Congress has not criticized the 1995 troop proposal. This can be explained in part because most congressmen seemed to accept that the U.S. military presence should remain in South Korea particularly as long as the DPRK's conventional and nuclear threats remain as serious as they are at present. This situation is exacerbated to a certain extent because the

succession process from Kim Il Sung to Kim Jong Il in North Korea remains incomplete. A final factor is that both the executive and legislative branches are aware that North Korea has made substantial efforts to drive a wedge between the United States and ROK. These efforts are apparent in the bilateral negotiations between North Korea and the United States addressing the nuclear weapons issue, a process in which the South Koreans have not been directly involved. Another example is the DPRK's attempt to replace the 1953 Armistice Agreement with a peace treaty, again excluding South Korea from this process.

The Clinton administration is certainly cognizant of these North Korean initiatives and their ulterior motives. Its diplomats have worked hard to ensure that its South Korean ally is not marginalized in these negotiations. Both branches of government seem to recognize that the U.S. military presence should remain in South Korea to protect U.S. vital national security interests in a period of uncertainty on the Korean peninsula. While disputes over the administration's counterproliferation policy continue, the troop issue is not part of the current debate.⁶⁵ Whether this support and cooperation will continue as the United States tries to implement its post-Cold War strategy in East Asia remains to be seen, particularly if isolationist sentiment increases in the Congress in the next few years and partisan politics become even more counterproductive. The invitation to struggle between the executive and legislative branches continues to be a political reality. Nonetheless, in the mid 1990s, there appears to be greater agreement on the importance of the American military forces deployed in support of the ROK than in several years.

ENDNOTES

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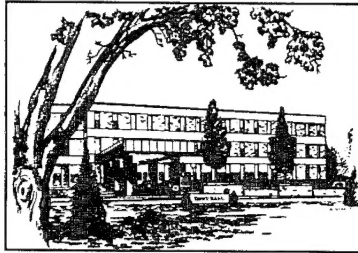
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